

ORDINANCE NO. 0-15138  
(New Series)

O. 80-45

DEC 17 1979

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTION 98.02.0503, BY RENUMBERING AND AMENDING SECTIONS 98.02.0202, 98.02.0203 AND 98.02.0501, AND BY AMENDING SECTION 98.02, ALL RELATING TO HOUSING REQUIREMENTS.

WHEREAS, the Uniform Housing Code, 1976 Edition, has been published by the International Conference of Building Officials and adopted in Title 25, California Administrative Code; and

WHEREAS, Section 17922 and 17958 of the California Health and Safety Code provide that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in the Uniform Housing Code; and

WHEREAS, Sections 17958.5 and 17958.7 of the California Health and Safety Code provide that a city or county may make such changes or modifications in the requirements contained in the Uniform Housing Code as it determines are reasonably necessary because of local conditions; and

WHEREAS, the Council of The City of San Diego finds and declares in accordance with Section 17958.5 of the California Health and Safety Code that the changes and modifications contained herein, are reasonably necessary because of local conditions; and

WHEREAS, the Council of The City of San Diego expressly finds and declares that each amendment or change contained in this ordinance is needed to provide for local conditions; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego,  
as follows:

Section 1. That Chapter IX, Article 8, of the San Diego Municipal Code be and the same is hereby amended by repealing Section 98.02.0503.

Section 2. That Chapter IX, Article 8, of the San Diego Municipal Code be and the same is hereby amended by renumbering existing sections of Article 8 to read as follows:

<u>Old Section</u>	<u>Title</u>	<u>New Section</u>
98.02.0202	SEC. H-202 OF THE UNIFORM HOUSING CODE AMENDED	98.02.1
98.02.0203	SEC. H-203 OF THE UNIFORM HOUSING CODE AMENDED	98.02.2
98.02.0501	SEC. H-501 OF THE UNIFORM HOUSING CODE AMENDED	98.02.3

Section 3. That Chapter IX, Article 8, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 98.02, 98.02.1, 98.02.2 and 98.02.3 to read as follows:

SEC. 98.02        HOUSING CODE ADOPTED

Articles 5, 6, 7, 8 and 9 of Part I, Chapter 1, Subchapter 1, Title 25, California Administrative Code, are hereby adopted as the Housing Code of the City of San Diego, California, for regulation of use and occupancy of residential buildings; and for structural fire safety in existing residential buildings.

SEC. 98.02.1    ABATEMENT OF SUBSTANDARD BUILDINGS

a) All buildings or portions thereof which are determined to be substandard as defined herein, are hereby declared to be public nuisances and may be abated by repair,

rehabilitation, demolition, or removal in accordance with the procedure specified for the abatement of unsafe buildings in Section 91.02.0203 of the San Diego Municipal Code.

b) Where the Building Official determines by inspection that any existing building premises, or portion thereof, which is used, or designed, or intended to be used, for human habitation, is substandard, he may order the building or portion thereof to be immediately vacated, and he shall initiate proceedings to cause the repair, rehabilitation, demolition, or removal of the building.

#### SEC. 98.02.2 HOUSING ADVISORY AND APPEALS BOARD.

a) General Provisions. There is hereby created a Housing Advisory and Appeals Board consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to the safety and adequacy of housing. The members of the Board shall be appointed in accordance with Section 43 of the Charter of The City of San Diego, for two-year terms and until their successors have been appointed and qualified. The tenure of appointees shall be so scheduled that no more than three terms shall expire in any year. The Board shall select a chairman from its membership annually, unless a chairman is appointed by the Mayor. The Building Official or his appointed representative shall act as secretary to the Board but shall have no vote.

b) Duties of the Board. The Board shall advise on reasonable interpretations of the provisions of this Code

and shall hear appeals regarding the application of the provisions of this Code. The Board may recommend to the City Council such new legislation as is consistent with its purposes. The Board shall adopt reasonable rules and regulations for conducting its investigations and hearings and shall render all decisions and findings in writing to the appellant and to the City Manager.

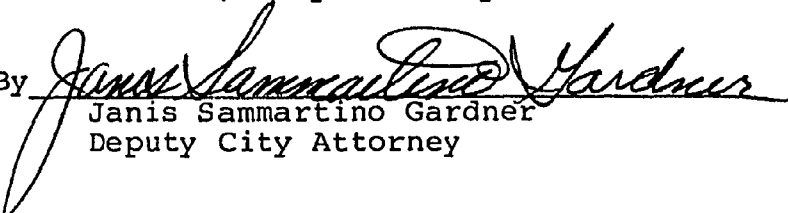
SEC. 98.02.3 LOCATION ON PROPERTY

Use zone requirements, building setback, side and rear yard requirements, allowable lot coverage, and property line requirements shall be as required in Chapter X of the San Diego Municipal Code.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

JOHN W. WITT, City Attorney

By

  
Janis Sammartino Gardner  
Deputy City Attorney

JSG:vl:551

9/7/79

Or. Dept.: Bldg. Insp.

Passed and adopted by the Council of The City of San Diego on DEC 17 1979,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andronne, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 3 1979

DEC 17 1979

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andronne, Deputy.

Office of the City Clerk, San Diego, California

Ordinance  
Number

0-15138 Adopted

DEC 17 1979

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY OF SAN DIEGO  
JAN - 3 11 9 33  
SAN DIEGO, CALIF.

San Diego, City of  
12th Floor, City Admin. Bldg.  
202 C Street  
San Diego, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8,  
OF THE SAN DIEGO MUNICIPAL CODE

ORDINANCE NO. 0-15138  
(New Series)  
AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, OF THE  
SAN DIEGO MUNICIPAL CODE BY REPEALING SECTION  
98.02.0503, BY RENUMBERING AND AMENDING SECTIONS  
98.02.0202, 98.02.0203 AND 98.02.0501, AND BY AMENDING SEC-  
TION 98.02, ALL RELATING TO HOUSING REQUIREMENTS.  
Section 98.02 et seq. of the Municipal Code is amended to in-  
corporate by reference Articles 5, 6, 7, 8 and 9 of Part I, Chapter 1, Sub-  
Chapter 1, Title 25, California Administrative Code, for regulation of  
use and occupancy of residential buildings and for structural fire  
safety in existing residential buildings.  
A complete copy of the Ordinance is available for inspection in  
the Office of the City Clerk of the City of San Diego, 12th Floor, City  
Administration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on December 3, 1979.  
Passed and adopted by the Council of The City of San Diego on  
December 17, 1979.  
AUTHENTICATED BY:  
PETE WILSON,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of The City of San Diego, California.  
(SEAL)  
By RITA ANDREWS, Deputy,  
Published December 31, 1979. (60-328-1)

I, Camille Simpson, am a citizen  
of the United States and a resident of the County aforesaid; I am over the  
age of eighteen years, and not a party to or interested in the above-entitled  
matter. I am the principal clerk of the San Diego Daily Transcript, a  
newspaper of general circulation, printed and published daily, except  
Saturdays and Sundays, in the City of San Diego, County of San Diego, and  
which newspaper has been adjudged a newspaper of general circulation by  
the Superior Court of the County of San Diego, State of California, under  
the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15138 (New Series)

is a true and correct copy of which the annexed is a printed copy and was  
published in said newspaper on the following date(s), to wit:

December 31, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 31st day of Dec., 19 79.

Camille Simpson  
(Signature)

4 1/2 " x 30.02